

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: OHIO EXECUTION
PROTOCOL LITIGATION**

:

Case No. 2:11-cv-1016

**District Judge Edmund A. Sargus, Jr.
Magistrate Judge Michael R. Merz**

This document relates to:

**Plaintiffs Douglas Coley,
James Galen Hanna, Gregory Lott,
and John David Stumpf.**

OPINION AND ORDER

This consolidated § 1983 case raising multiple constitutional challenges to the manner in which Ohio carries out executions is before the Court on the following:

- The Motions for Preliminary Injunction of Plaintiffs John David Stumpf (ECF No. 2695), Gregory Lott (ECF No. 2696), James Galen Hanna (ECF No. 2715), and Douglas Coley (ECF No. 2838);
- Governor Mike DeWine's Warrants of Reprieve from March 12, 2020, until May 27, 2021, for Lott (ECF No. 2772-1), from April 16, 2020, until September 15, 2021, for Stumpf (ECF No. 2772-2), from July 16, 2020, until May 18, 2022, for Hanna (ECF No. 2951-2), and from August 16, 2020, until July 20, 2022, for Coley (ECF No. 2951-3); and
- The Magistrate Judge's Reports and Recommendations of February 3, 2020 (ECF No. 2809) and April 15, 2020 (ECF Nos. 2952-53), recommending that the Motions for Preliminary Injunction be denied without prejudice as premature.

No party has objected to the Reports and Recommendations, and the time for objections under Fed.R.Civ.P. 72(b)(2) has expired. Accordingly, the Court ADOPTS the Reports and Recommendations and DENIES as premature the Motions for Preliminary Injunction, without prejudice to refiling not later than November 30, 2020, for Lott; March 19, 2021, for Stumpf; November 19, 2021 for Hanna; and January 21, 2022, for Coley.

IT IS SO ORDERED.

Date: May 4, 2020

s/Edmund A. Sargus, Jr.
United States District Judge